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October 15, 2024

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. James M. Wicks, U.S.M.J.
100 Federal Plaza, Courtroom 1020
Central Islip, NY 11722-4438

Re: Deo, et al. v. Baron, et al.
Case No.: 2:24-cv-6903 (JMW)

Dear Judge Wicks:

This office represents Defendant Superb Motors Inc. (“Superb”) in the above-referenced case. Superb writes to respectfully request an extension of time *sine die* to respond to the complaint pending resolution of its motion to consolidate this case with Superb Motors Inc v. Deo, 2:23-cv-6188 (JMW), a related case.

Legal Standard

Rule 6 of the Federal Rules of Civil Procedure (hereinafter referred to as “Rules” or “Rule”) provides that “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time ... with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expire.” See Fed. R. Civ. P. 6(b)(1)(A).

Further, Rule 1 provides that the Rules should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding. See Fed. R. Civ. P. 1.

Good Cause and the Just, Speedy, & Inexpensive Determination of this Case Warrant an Extension

Consistent with ¶ 1(D) of this Court’s Individual Practice Rules, Superb respectfully submits that: (i) the original date Superb has to respond to the complaint is uncertain, as it only received a copy of this complaint at the address designated for service of process, but it is unclear when and whether the mailing came from the Secretary of State or elsewhere;¹ (ii-iii) there have been no previous requests for an extension; (iv) an extension of time is necessary because Superb and related parties have filed a motion to consolidate this case with a related case, Superb Motors Inc. v. Deo, 2:23-cv-6188 (JMW), and this motion remains pending, such that – if granted – may obviate the need for a response to the complaint; and (v) the Plaintiffs do not consent because they “do not agree to consolidate the cases.”

For the foregoing reasons, Superb respectfully submits that sufficient good cause exists to warrant this Court’s exercise of discretion in favor of granting the requested extension of time.

¹ It also does not help that the Plaintiffs have not filed any proof of service for Superb.

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Superb thanks this Court for its time and attention to this matter.

Dated: Jamaica, New York
October 15, 2024

Respectfully submitted,

SAGE LEGAL LLC

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